REMARKS

In the Official Action mailed on **14 December 2005**, the Examiner reviewed claims 1-5, 7-16, 18-27, and 29-33. Claims 1-5, 7-16, 18-27, and 29-33 were rejected under 35 U.S.C. §103(a) as being unpatentable over Frey, Jr. et al (USPN 5,201,044, hereinafter "Frey") in view of Fleming (USPN 6,023,772, hereinafter "Fleming").

Rejections under 35 U.S.C. §102(b)

Independent claims 1, 12, and 23 were rejected as being unpatentable over Frey in view of Fleming. Examiner avers that Frey teaches "the use of a transaction log file to keep track of the progress of all pending transactions." Applicant respectfully points out that Frey addresses a different issue than the present invention. The present invention **strives to avoid synchronization to disk**, since "this synchronization process typically involves performing disk accesses, which can require millions of processor cycles to complete, and can hence greatly reduce computer system performance." In contrast, Frey teaches "A fixed region in disk memory is preallocated for the log file" (see Frey, col. 5, lines 13-19), that "Each node maintains its own independent log file whose identifier is stored in a designated area on the node's disk and also in its volatile memory" (see Frey, col. 5, lines 60-63), and that "data which has been written to disk (nonvolatile) will be retained and can be recovered when the node again becomes functional" (see Frey, col. 6 lines 27-33). Frey teaches that the durability of transactions are maintained using additional writes to disk.

In contrast, the present invention maintains its log in the **volatile memory of a secondary server** that is separate from the primary server (see FIG. 1, page 6, line 25 to page 7, line 12, and claim 10). This is beneficial because it allows recovery of file operations on the secondary server if the primary server fails, while also not delaying filesystem operations with additional disk operations.

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There is nothing within Frey or Fleming, either separately or in concert, which suggests maintaining a log in the volatile memory of a secondary server that is separate from the primary server to avoid delays due to writes to non-volatile storage.

Accordingly, Applicant has amended independent claims 1, 12, and 23 to clarify that the present invention maintains its log in volatile memory on a secondary server that is separate from the primary server. These amendments find support in FIG. 1, on page 6, line 25 to page 7, line 12, and claim 10.

Hence, Applicant respectfully submits that independent claims 1, 12, and 23 as presently amended are in condition for allowance. Applicant also submits that claims 2-5 and 7-11, which depend upon claim 1, claims 13-16 and 18-22, which depend upon claim 12, and claims 24-27 and 29-33, which depend upon claim 23, are for the same reasons in condition for allowance and for reasons of the unique combinations recited in such claims.

CONCLUSION

It is submitted that the present application is presently in form for allowance. Such action is respectfully requested.

Respectfully submitted,

By _____

Edward J. Grundler
Registration No. 47,615

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Edward J. Grundler
PARK, VAUGHAN & FLEMING LLP
2820 Fifth Street
Davis, CA 95616-7759
Tel: (530) 759-1663
FAX: (530) 759-1665
Email: edward@parklegal.com